

UNITE HERE Fund Administrators
An Affiliate of Amalgamated Life

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August 21, 2008

AUG 21 2008

VIA FACSIMILE (212) 805-4258

Honorable Debra Freeman
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Trustees of the UNITE HERE National Health Fund, et al.
--v.- The New Mayflower Corporation -- 08 Civ. 3788 (DLC)

Dear Judge Freeman:

We are the attorneys for the UNITE HERE National Health Fund and UNITE HERE National Retirement Fund (collectively, "the Funds"), plaintiffs in the above-referenced action. For the following reasons, we are writing to request a brief extension of time in which to submit the Funds' Proposed Findings of Fact and Conclusions of Law, which are currently due on August 22, 2008 in this action. This is the first such request for an extension of time.

On July 21, 2008, Judge Denise Cote entered a default judgment against defendant The New Mayflower Corporation, and referred the matter to your Honor for an inquest on damages. On July 23, 2008, your Honor issued a Scheduling Order requiring plaintiffs to file Proposed Findings of Fact and Conclusions of Law on August 22, 2008 and defendant to submit a response or communicate with your Honor's Chambers by September 22, 2008. Edward J. Blair, defendant's president and sole shareholder, has advised plaintiffs' counsel that defendant anticipates consenting to entry of judgment by the Court. At this juncture, plaintiffs are negotiating with defendant concerning the proposed stipulation to judgment and certain other terms relating to a resolution of the instant action without further litigation. The negotiations, investigation of certain outstanding issues, and the drafting and circulation of documents relating to the consented to judgment will require additional time.

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Given the foregoing, and in the interests of judicial economy, plaintiffs respectfully request an adjournment of the July 23, 2008 Scheduling Order as follows:

September 16, 2008 - Plaintiffs' Proposed Findings of Fact and Conclusions of Law due; and

October 16, 2008 - If defendant fails to respond to plaintiffs' submissions or fails to contact your Honor's Chambers by October 16, 2008 to request an in-court hearing, the Court will issue a report and recommendation concerning damages on the basis of plaintiffs' written submissions alone without an in-court hearing.

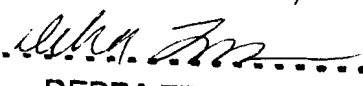
The Court's considerations are greatly appreciated.

Respectfully submitted,



David C. Sapp (DS1781)

cc: Mr. Edward J. Blair (via facsimile and e-mail)

SO ORDERED: DATE: 8/21/08
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DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE